

REMARKS

Claims 1-4, 6-13, and 15-22 were pending. The applicants amend claims 1, 2, 7, 11, 13, 17, and 22 and cancel claim 8. The applicants present the claims listed above for examination in view of the amendments and the following remarks.

Drawings

The drawings were objected to. The applicants request that the objection to the drawings be withdrawn in view of the cancellation of claim 8.

Claim Objections

The applicants request that the objection to claim 11 be withdrawn in view of the amendment to claim 11.

Claim Rejections – 35 USC § 112

Claims 1-16 were rejected under 35 U.S.C. § 112, second paragraph.

The applicants amend claim 1 to clarify that it is the borehole “that is arranged in a brush head and that serves for accommodating a bristle cluster[.]”

The applicants amend claim 7 to depend from claim 2.

The applicants request that the rejections of claims 1-16 under 35 U.S.C. § 112, second paragraph to be withdrawn in view of these amendments.

Claim Rejections – 35 USC § 102 / 103

Claims 1-4, 6-13, 15-22 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 801,026 ("Liebig") or under 35 U.S.C. 103(a) as being unpatentable over Liebig, alone or in view of U.S. Pat. No. 746,943 ("Fisher").

Claim 1 recites “a first broad longitudinal side of the ram disposed along a first line extending between ends of the face sides of the ram and a second broad longitudinal side of the ram extends outward relative a second line extending between ends of the face sides of the ram such that the central face region includes an enlarged projecting area is disposed on one of the

broad longitudinal sides of the ram[.]” Claims 17 and 22 recite “a first broad longitudinal side of the ram disposed along a first line extending between ends of face sides of the ram and a second broad longitudinal side of the ram extending outward relative a second line extending between ends of the face sides of the ram such that the central regions includes an enlarged projecting area is disposed on one of the broad longitudinal sides of the ram[.]”¹

Liebig does not describe or make obvious rams or methods with the features claimed by the applicants. Rather Liebig describes plunger 17 with enlarged projecting areas disposed on both sides of the plunger between the end faces extending into grooves 15, 16.² Liebig's plunger is configured such that portions which extend from each end engage the staple legs that lie in the grooves 15, 16. There is no indication that Liebig's system would be operational in the absence of the grooves 15, 16 and the corresponding plunger configuration.

These differences are significant. The features claimed by the applicants provide rams and methods that can be less susceptible to fracturing than the two-sided configuration described by Liebig, particularly for use in connection with bore holes that are inclined relative to the longitudinal axis of the ram.³

Fisher does not remedy the deficiencies of Liebig as discussed above. Fisher has not been shown or asserted to describe rams or methods with, for example, “a first broad longitudinal side of the ram disposed along a first line extending between ends of the face sides of the ram and a second broad longitudinal side of the ram extends outward relative a second line extending between ends of the face sides of the ram such that the central face region includes an enlarged projecting area is disposed on one of the broad longitudinal sides of the ram” (claim 1). Moreover, Fisher does not even describe methods in which “pressing the holding element comprises pressing the holding elements into corresponding boreholes inclined relative to a longitudinal axis of the ram” (claim 19). Rather Fisher describes boreholes which are aligned

¹ The amendments of claims 1, 17, and 22 are supported, for example, by Figures 1 and 2 and paragraph [0023] of the present application as published.

² See, e.g., Liebig, Figure 6.

³ See, e.g., the present application, paragraph [0006-0007].

with the longitudinal axis of tufting slide.⁴ The boreholes are inclined relative to block G to which the bristle tufts are attached.⁵

For at least these reasons, Liebig does not anticipate nor, alone or in combination with Fisher, make obvious rams or methods as claimed by the applicants. Accordingly, the applicants request that the rejections of pending claims under 35 U.S.C. § 102(b) as being anticipated by Liebig or under 35 U.S.C. § 103(a) as being unpatentable over Liebig, alone or in view of U.S. Pat. No. 746,943 Fisher be withdrawn.

The applicants respectfully submit that the application is in condition for allowance and request notice to that effect.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicants have (a) addressed certain comments of the examiner does not mean that the applicants concede other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicants concede any of the examiner's positions with respect to that claim or other claims.

⁴ See, e.g., Fisher, Figures 5-9.

⁵ See, e.g., Fisher, Figures 5-9.

Applicant : Driesen et al.
Serial No. : 10/552,979
Filed : April 18, 2006
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Attorney's Docket No.: 02894-0727US1 / 06745-PT22/rr

The fees in the amount of \$130 for a petition for a 1-month extension of the period for response are being paid concurrently herewith on the Electronic Filing System by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 02894-0727US1.

Respectfully submitted,

Date: January 4, 2010

/Sean M. Dean/
Sean M. Dean, Ph.D., J.D.
Reg. No. 46,656

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945